

COPY

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

Wisconsin Central Ltd., the Village of Mundelein, the County of Lake, and the State of Illinois, Department of Transportation.

Stipulated Agreement regarding the installation of an Automated Horn System (AHS system) at the crossings of the Company's track with public highways known as Butterfield Road, Illinois Rte. 60 (IL 60), Allanson Road, Hawley Street, Park Street, Maple Street (IL Rte. 176), Dunbar Road, Winchester Road, and Peterson Road, located in/near the Village of Mundelein, Lake County, Illinois, designated as crossings AAR/DOT 689 698N milepost 37.37M; AAR/DOT 689 699V, milepost 37.50M; AAR/DOT 689 701U, milepost 38.65M; AAR/DOT 689 703H, milepost 39.80M; AAR/DOT 689 704P, milepost 39.94M; AAR/DOT 689 705W, milepost 40.10M; AAR/DOT 689 707K, milepost 40.85M; AAR/DOT 689 709Y, milepost 41.78M; AAR/DOT 689 710G, milepost 42.38M, respectively.

RECEIVED
OCT 9 2001

Illinois Commerce Commission
RAIL SAFETY SECTION

T01-0029

**SUPPLEMENTAL PETITION FOR AN ORDER APPROVING FUNDING IN
ALLOWANCE WITH REVISED ESTIMATES FOR THE AUTOMATED HORN PROJECT**

Now comes Petitioner, Wisconsin Central Ltd. ("WCL"), and petitions the Illinois Commerce Commission (the "Commission") for an order approving additional funding in accordance with revised estimates for the automated horn project. In support of its Petition, WCL states as follows:

1. WCL is a rail carrier operating in Illinois and is a rail carrier within the meaning of the Illinois Commercial Transportation Law.
2. The Illinois Department of Transportation is an agency of the State of Illinois and is subject to the jurisdiction of the Commission.
3. Lake County is a political subdivision within the State of Illinois and is subject to the jurisdiction of the Commission.

DOCKETED

4. The Village of Mundelein is a political subdivision within the State of Illinois and is subject to the jurisdiction of the Commission.

5. WCL owns and operates a main line of railroad through Cook County continuing into Lake County and to the Wisconsin border. This mainline carries Canadian National trains and Metra trains in addition to WCL trains. This main line passes through the municipalities made party respondents to this action.

6. On April 25, 2001, the Commission issued an order in this docket (the "Order") directing that WCL install automated horns (to provide warning to motorists of approaching trains) at nine at-grade rail-highway crossings in and around the Village of Mundelein. The Order is incorporated herein by reference.

7. the Order incorporated a Stipulated Agreement ("Stipulated Agreement") among the parties hereto and the Commission. The Stipulated Agreement assigned cost responsibilities for the installation of the automated horns at the nine crossings.

8. Costs for installation at two crossings, IL 176 and IL 60, were assigned to the Illinois Department of Transportation and no cap was imposed.

9. Costs for installation of the remaining seven crossings were assigned to the Grade Crossing Protection Fund and a cap was imposed for that installation at \$287,098.00.

10. Upon further review and assessment, WCL has concluded that costs for installation at those seven crossing will exceed the cap.

11. Enclosed as Exhibit A are revised estimates for installation costs, for installation of the automated horn systems, including estimates for the seen crossings where installation is being funded by the Grade Crossing Protection Fund.

12. Included with Exhibit A is a letter detailing reasons for the revised estimates.

13. WCL is desiring that the current cap of the obligation of the Grade Crossing Protection Fund for installation of the horn system at the subject seven crossings be increased to match the revised estimates.

WHEREFORE, Petitioner Wisconsin Central Ltd. respectfully requests that the Commission:

- a. Increase the obligation of the Grade Crossing Protection Fund set forth in Section 6(a) and the Stipulated Agreement that is incorporated to the Commission's Order of April 25, 2001 in this Docket to \$377,584.00;
- b. Provide such other and further relief as the Commission deems just and appropriate.

Dated at Rosemont, Illinois this 5th day of October, 2001.

Respectfully submitted,

WISCONSIN CENTRAL LTD.

By: 

Michael J. Barron, Jr.
General Attorney
Wisconsin Central Ltd.
P.O. Box 5062
Rosemont, IL 60017-5062
(847) 384-5452
ARDC #6228809

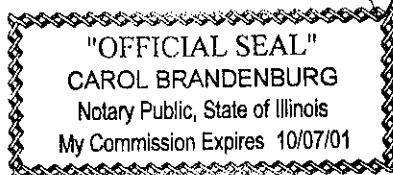
VERIFICATION

RANDY HENKE, being first duly sworn under oath, deposes and states that he is Vice President-Engineering of Wisconsin Central Ltd., that he has read the foregoing Petition of Wisconsin Central Ltd., and that the contents thereof are true and correct to the best of his knowledge and belief.

x 
Randy Henke

Subscribed and Sworn to
before me this 5TH day
of October, 2001.


Notary Public



September 20, 2001

Mr. Michael J. Barron, Jr.
General Attorney
Wisconsin Central System
PO Box 5062
Rosemont, IL 60017-5062

Dear Mr. Barron:

As we have discussed previously, additional funding authorization is requested for seven of the nine Automated Horn System (AHS) installations in the Village of Mundelein. Enclosed are estimated final cost summaries that include a comparison of the estimated final cost with the original estimate. The estimated final cost summaries for Maple Street (IL 176) and IL 60 are also included as information.

One of the major reasons for the overrun was due to AHS material price increases as a result of our most recent product enhancements. This is something we had discussed in previous meetings and hoped the contingencies would cover the cost increase.

Other reasons for the overrun are:

- Engineering drawings, as required by ICC, were not included in the original estimate
- Material was based on a typical installation in the original estimate. Additional construction material was necessary as a result of completion of engineering
- Location of utilities at most of the crossings required additional costs associated with boring and the construction labor. Much of the digging had to be completed by hand rather than with equipment because of the proximity of underground utilities at each crossing. As a result of the additional labor required, the equipment charges and travel expenses increased proportionately.

I have not included any of Wisconsin Central's additional costs as part of these estimates. Based on what Jack had told me about the flagging costs, required by Wisconsin Central and not included in our previous estimate, I estimate them to be about \$15,000 or about \$1,667 per location.

—  —
Exhibit A

If you have any questions or require any additional information, please do not hesitate to call me at (817) 820-6300.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kurt Anderson".

Kurt Anderson
Director - AHS Division

CC: Mr. Jack Palach

AHS Estimate
Mundelein, IL
Butterfield Road
DOT No. 689698N
MP CM 37.37, Wisconsin Central

	Revised Estimate	10/27/00 Estimate	Difference
AHS Material	\$22,500	\$19,798	\$2,702
Engineering	\$1,300	\$0	\$1,300
Labor	\$7,209	\$4,250	\$2,959
Material	\$8,607	\$6,170	\$2,437
Equipment	\$3,549	\$2,070	\$1,479
Travel Expense	\$1,372	\$880	\$492
Freight	\$403	\$500	(\$97)
Subcontractors	\$4,953	\$3,000	\$1,953
Contingencies	\$0	\$5,500	(\$5,500)
Total	\$49,893	\$42,168	\$7,725

AHS Estimate
Mundelein, IL
Allanson Road
DOT No. 689701U
MP CM 38.65, Wisconsin Central

	Revised Estimate	10/27/00 Estimate	Difference
AHS Material	\$25,000	\$19,798	\$5,202
Engineering	\$1,351	\$0	\$1,351
Labor	\$8,442	\$3,550	\$4,892
Material	\$8,421	\$5,070	\$3,351
Equipment	\$3,919	\$1,620	\$2,299
Travel Expense	\$1,693	\$820	\$873
Freight	\$437	\$500	(\$63)
Subcontractors	\$4,953	\$3,000	\$1,953
Contingencies	\$0	\$5,154	(\$5,154)
Total	\$54,216	\$39,511	\$14,705

AHS Estimate
Mundelein, IL
Hawley Street
DOT No. 689703H
MP CM 39.80, Wisconsin Central

	Revised Estimate	10/27/00 Estimate	Difference
AHS Material	\$25,000	\$19,798	\$5,202
Engineering	\$1,377	\$0	\$1,377
Labor	\$7,288	\$3,590	\$3,698
Material	\$8,429	\$5,150	\$3,279
Equipment	\$3,775	\$1,650	\$2,125
Travel Expense	\$1,447	\$880	\$567
Freight	\$437	\$500	(\$63)
Subcontractors	\$4,953	\$3,000	\$1,953
Contingencies	\$0	\$5,185	(\$5,185)
Total	\$52,705	\$39,753	\$12,953

AHS Estimate
Mundelein, IL
Park Street
DOT No. 689704P
MP CM 39.94, Wisconsin Central

	Revised Estimate	10/27/00 Estimate	Difference
AHS Material	\$25,000	\$19,798	\$5,202
Engineering	\$1,351	\$0	\$1,351
Labor	\$7,555	\$3,590	\$3,965
Material	\$8,418	\$5,150	\$3,268
Equipment	\$3,831	\$1,650	\$2,181
Travel Expense	\$1,484	\$880	\$604
Freight	\$437	\$500	(\$63)
Subcontractors	\$4,953	\$3,000	\$1,953
Contingencies	\$0	\$5,185	(\$5,185)
Total	\$53,028	\$39,753	\$13,276

AHS Estimate
Mundelein, IL
Dunbar Road
DOT No. 689707K
MP CM 40.85, Wisconsin Central

	Revised Estimate	10/27/00 Estimate	Difference
AHS Material	\$24,550	\$24,745	(\$195)
Engineering	\$1,377	\$0	\$1,377
Labor	\$7,778	\$3,490	\$4,288
Material	\$8,418	\$5,070	\$3,348
Equipment	\$3,896	\$1,470	\$2,426
Travel Expense	\$1,528	\$820	\$708
Freight	\$464	\$500	(\$36)
Subcontractors	\$4,953	\$3,000	\$1,953
Contingencies	\$0	\$5,864	(\$5,864)
Total	\$52,963	\$44,960	\$8,003

AHS Estimate
Mundelein, IL
Winchester Road
DOT No. 689709Y
MP CM 41.78, Wisconsin Central

	Revised Estimate	10/27/00 Estimate	Difference
AHS Material	\$22,500	\$19,798	\$2,702
Engineering	\$1,274	\$0	\$1,274
Labor	\$7,109	\$3,650	\$3,459
Material	\$8,428	\$5,300	\$3,128
Equipment	\$3,701	\$1,650	\$2,051
Travel Expense	\$1,400	\$880	\$520
Freight	\$419	\$500	(\$81)
Subcontractors	\$4,953	\$3,000	\$1,953
Contingencies	\$0	\$5,217	(\$5,217)
Total	\$49,785	\$39,994	\$9,790

AHS Estimate
Mundelein, IL
Peterson Road
DOT No. 689710G
MP CM 42.38, Wisconsin Central

	Revised Estimate	10/27/00 Estimate	Difference
AHS Material	\$22,500	\$19,798	\$2,702
Engineering	\$1,212	\$0	\$1,212
Labor	\$7,219	\$3,850	\$3,369
Material	\$8,452	\$5,780	\$2,672
Equipment	\$3,736	\$1,810	\$1,926
Travel Expense	\$1,412	\$880	\$532
Freight	\$419	\$500	(\$81)
Subcontractors	\$4,953	\$3,000	\$1,953
Contingencies	\$0	\$5,343	(\$5,343)
Total	\$49,904	\$40,960	\$8,944

AHS Estimate
Mundelein, IL
Maple Street (IL 176)
DOT No. 689705W
MP CM 40.10, Wisconsin Central

	Revised Estimate	10/27/00 Estimate	Difference
AHS Material	\$25,000	\$19,798	\$5,202
Engineering	\$1,351	\$0	\$1,351
Labor	\$8,155	\$3,690	\$4,465
Material	\$8,418	\$5,250	\$3,168
Equipment	\$3,887	\$1,765	\$2,122
Travel Expense	\$1,689	\$880	\$809
Freight	\$437	\$500	(\$63)
Subcontractors	\$4,953	\$3,000	\$1,953
Contingencies	\$0	\$5,232	(\$5,232)
Total	\$53,888	\$40,115	\$13,774

AHS Estimate
Mundelein, IL
IL 60
DOT No. 689699V
MP CM 37.50, Wisconsin Central

	Revised Estimate	10/27/00 Estimate	Difference
AHS Material	\$25,000	\$19,798	\$5,202
Engineering	\$1,326	\$0	\$1,326
Labor	\$8,068	\$3,950	\$4,118
Material	\$8,460	\$5,670	\$2,790
Equipment	\$3,783	\$1,820	\$1,963
Travel Expense	\$1,693	\$880	\$813
Freight	\$403	\$500	(\$97)
Subcontractors	\$4,953	\$3,000	\$1,953
Contingencies	\$0	\$5,343	(\$5,343)
Total	\$53,685	\$40,960	\$12,725

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ILLINOIS COMMERCE COMMISSION**

Wisconsin Central Ltd., the Village of Mundelein, the County of Lake,
and the State of Illinois, Department of Transportation.

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T01-0029

NOTICE OF FILING

Mr. Edward R. Gower
Chief Counsel
Illinois Department of Transportation
2300 S. Dirksen Pkwy., Room 300
Springfield, IL 62764

Mr. Ken Marabella
Village Administrator
Village of Mundelein
440 E. Hawley Street
Mundelein, IL 60060

Mr. Robert Berry
Railroad Safety Specialist
Illinois Commerce Commission
527 E. Capital Avenue
Springfield, IL 62701

Mr. Dusty Powell
Division of Transportation
Lake County
600 W. Winchester Road
Libertyville, IL 60048-1381

PLEASE TAKE NOTICE that we have on this 5th day of October, 2001, mailed for filing with the Illinois Commerce Commission, Wisconsin Central Ltd.'s Supplemental Petition for an Order Approving Funding in Accordance with Revised Estimates in the above-captioned matter, a copy of which is hereby served upon you.

WISCONSIN CENTRAL LTD.

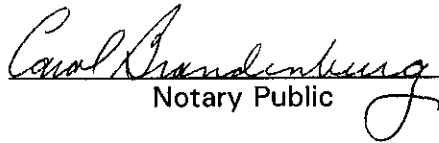
By Michael J. Barron, Jr.
Michael J. Barron, Jr.
General Attorney
Wisconsin Central Ltd.
P.O. Box 5062
Rosemont, IL 60017-5062
(847) 384-5452
ARDC #622880.9

PROOF OF SERVICE

MICHAEL J. BARRON, JR., being first duly sworn, under oath, deposes and states that on behalf of Petitioner, he served the foregoing Supplemental Petition upon the respondents made party to this proceeding by enclosing copies of the Petition in envelopes addressed to those parties as set forth below, postage prepaid, and depositing the envelopes in the United States Mail at 6250 N. River Road, Rosemont, IL on the 5th day of October, 2001.


Michael J. Barron, Jr.

SUBSCRIBED and SWORN to
Before me this 5th day of
October, 2001.


Notary Public



Mr. Edward R. Gower
Chief Counsel
Illinois Department of Transportation
2300 S. Dirksen Pkwy., Room 300
Springfield, IL.62764

Mr. Ken Marabella
Village Administrator
Village of Mundelein
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